

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	
	:	Atty Dkt No.: 003433.00096
Subhra BOSE et al.	:	
	:	
Serial No.: 10/560,285	:	
	:	
Filed: December 12, 2005	:	
	:	
For: BUSINESS PROCESS AUTOMATION	:	

**REQUEST FOR RECONSIDERATION
OF PETITION UNDER 37 C.F.R. § 1.47(a)**

AND

RESPONSE TO PETITION DECISION MAILED NOVEMBER 20, 2008

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This submission is responsive to the Petition Decision mailed November 20, 2008. Applicants respectfully request reconsideration of the Petition Under 37 C.F.R. §1.47(a) filed on August 31, 2007.

The Assignee of the referenced patent application, Reuters America, Inc., 3 Times Square, 20th Floor, New York, NY 10036, and signed joint inventors Steve Scimone, Nallan Sriraman, Arthur Bernstein and Philip Lewis hereby petition to act as the Rule 47(a) Applicants for nonsigned joint inventors Subhra Bose, Ziyang Duan and Radu Grosu in the above-referenced application for the reasons outlined below.

The requirements for a grantable petition under 37 C.F.R. § 1.47 (a) requires (1) the petition fee; (2) factual proof that the missing joint inventor(s) cannot be located or refuses to cooperate; (3) a statement of the last known address(es) of the nonsigning joint inventor(s); and (4) an oath or declaration executed by the signing joint inventor(s) on their behalf and on behalf of the nonsigning joint inventor(s).

The Petition Decision notes “items (1), (3) and (4) of 37 CFR 1.47(a) are satisfied. However, the Petition Decision found the evidence insufficient for item (2) regarding joint inventors Subhra Bose, Ziyang Duan and Radu Grosu.

A. SUBHRA BOSE

On May 20, 2008, Judicial Attorney Services, a company providing private investigator services, provided updated search results of contact information for Mr. Subhra Bose. (Exhibits L & M). The updated contact information is as follows:

Subhra S. Bose
1194 Estates Dr.
Ossining, NY 10562
Subhra.bose@gmail.com
Employer: Credit Suisse First Boston LLC
Employer address: Eleven Madison Avenue, New York, NY 10010
Work phone no.: 212-325-2000

On June 10, 2008, the undersigned, Anthony Kandare, contacted Mr. Bose via his office telephone number at Credit Suisse First Boston LLC and had a conversation with him. During the conversation, Mr. Bose confirmed his address information noted above at Ossining, NY and identified his email address as subhra.bose@gmail.com. Further, Mr. Bose indicated that he would be willing to review the application, sign declaration and assignment papers, and return the same to Mr. Kandare in the near future.

Mr. Kandare subsequently sent a copy of the patent application, a Declaration form, and a U.S. Assignment document to Mr. Bose via email on June 10, 2008. (Exhibit N). Mr. Kandare followed up with Mr. Bose several times via telephone and email between June 10 and 19, 2008 regarding the same. In addition, a cover letter (Exhibit O), a hard copy of the patent application, a Declaration form and an Assignment were sent to Mr. Bose via Federal Express to his home address, which he received on June 13, 2008. (Exhibit P). Mr. Bose indicated via email that he

would send a facsimile copy of the Declaration and Assignment forms to Mr. Kandare on the morning of June 20, 2008. (Exhibit N).

As of time of filing this submission on June 20, 2008, the facsimile papers have not been received. Mr. Kandare left a telephone message and sent an email reminder on the afternoon of June 20, 2008, to Mr. Bose, but did not receive a response.

B. ZIYANG DUAN

On May 20, 2008, Judicial Attorney Services, provided updated search results of contact information for Mr. Ziyang Duan, which did not include telephone contact information. (Exhibits L & S). The updated contact information is as follows:

Ziyang Duan
32 West Avenue
Hicksville, NY 11801

The updated contact information was confirmed through supplemental searches via the Internet search website for Net Detective performed on May 20, 2008 and again on June 20, 2008, (Exhibit V), which also did not include telephone contact information.

Judicial Attorney Services had further indicated that Mr. Duan was an employee of Credit Suisse First Boston LLC where Mr. Bose is an employee. However, Credit Suisse stated that Mr. Duan was no longer an employee for them, which Mr. Bose also indicated. Mr. Kandare requested contact information for Mr. Duan from Credit Suisse, Mr. Bose and Mr. Grosu, but was unable to ascertain additional information.

On June 13, 2008, Mr. Kandare sent a cover letter (Exhibit T), a hard copy of the patent application, a Declaration form, a U.S. Assignment document, and FedEx return shipment papers to Mr. Duan at his home address via Federal Express. (Exhibit U). On June 15, 2008, Mr. Kandare received a FedEx update email indicating that Mr. Duan had used the return shipment papers to send a package to Mr. Kandare. (Exhibit W). As of the filing of this submission, the FedEx package and accompanying papers have not been received. However, FedEx indicates that the package for that tracking number will be delivered by 7:00 pm on June 23, 2008.

C. RADU GROSU

On May 20, 2008, Judicial Attorney Services, confirmed Mr. Grosu's previous contact information via updated search results of contact information for Mr. Radu Grosu. (Exhibits L & Q). The confirmed contact information is as follows:

Radu Grosu
32 Neptune Road
Rocky Point, NY 11778
Home telephone: 631-821-7257
Email: Grosu@cs.sunysb.edu

On May 20, 2008, the undersigned, Anthony Kandare, contacted Mr. Grosu via his home telephone number and had a conversation with him. During the conversation, Mr. Grosu confirmed his address information noted above at Rocky Point, NY and identified his email address as grosu@cs.sunysb.edu. Further, Mr. Grosu indicated that he would be willing to review the application, sign declaration and assignment papers, and return the same to Mr. Kandare in the near future.

Mr. Kandare subsequently sent a copy of the patent application, a Declaration form, and a U.S. Assignment document to Mr. Grosu via email on May 20, 2008. (Exhibit R). On June 12, 2008, Mr. Grosu sent an email to Mr. Kandare indicating that he had sent the signed forms to Mr. Kandare via FedEx. (Exhibit R). Mr. Kandare followed up with Mr. Grosu several times via telephone and email between June 17 and 20, 2008 regarding non-receipt of the FedEx package and requesting a facsimile or scanned copy of the same. As of time of filing this submission on June 20, 2008, the signed papers have not been received nor has Mr. Grosu replied regarding inquiries about the same.

Conclusion

Applicants respectfully submit that sufficient proof has been provided of diligent efforts to reach nonsigning joint inventors Subhra Bose, Ziyang Duan and Radu Grosu. Accordingly, the Assignee and signing joint inventors of the referenced patent application petition to act as the Rule 47(a) Applicants for nonsigning joint inventors Subhra Bose, Ziyang Duan and Radu Grosu in the above-referenced application.

The undersigned, on behalf of the Assignee and the signing inventors, hereby petitions to proceed with the application in the name of the Assignee and the signing inventors.

Respectfully submitted,

Dated: June 20, 2008

By: /Anthony W. Kandare/
Anthony W. Kandare, reg. no. 48,830

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